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Fax Cover Sheet

DATE: January 23, 2004

FROM: James G. Gatto
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CLIENT: 92654-004-401

Attorney No.

2654

Client No.

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Master No.

004-401

To:

NAME	BUSINESS #	FAX #
U.S. Patent & Trademark Office		703-872-9306

MESSAGE:

Re: Inventor: James G. Gatto
Serial No.: 09/922,935
Filing Date: August 7, 2001
Title: Electronic Fund Transfer or Transaction System

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OFFICIAL

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RES 109057v1

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Atty Docket No.: 92654-004-401

Inventor: James G. Gatto

Serial No.: 09/922,935 Filing Date: August 7, 2001


Title: ELECTRONIC FUND TRANSFER OR TRANSACTION SYSTEM

Documents Filed:

1. Notice of Appeal (in duplicate); and
2. Check in the amount of \$160.00.

VIA HAND DELIVERY

Sender's Initials: JGG/mrs Date: September 25, 2003



U.S. Application Serial No. 09/922,935
Attorney Docket No. 92654-004-401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: James G. Gatto
SERIAL NO.: 09/922,935
FILING DATE: August 7, 2001
ART UNIT: 2876
EXAMINER: KARL D. FRECH
FOR: ELECTRONIC FUND TRANSFER OR TRANSACTION SYSTEM

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's March 25, 2003 Office Action finally rejecting the pending claims in the above-identified application. A check in the amount of \$160.00 for filing this Notice of Appeal is enclosed herewith. 37 C.F.R. § 1.17(b).

A Request for Reconsideration was filed by Applicant on April 15, 2003 within two months from the March 25, 2003 mailing date of the Final Office Action. To date, Applicant has yet to receive any correspondence (e.g., an Advisory Action or otherwise) from the U.S. Patent Office regarding the above-identified application. Accordingly, Applicant submits that the two-month rule applies (*see* MPEP §706.07(f)) and that no extension of time fees are required with the filing of this Notice. If this determination has been made in error, however, the Commissioner is authorized to charge any additional fees that may be due, or credit any

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MINTZ LEVIN

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U.S. ... Application Serial No. 09/922,935
Attorney Docket No. 92654-004-401

overpayment of same, to Deposit Account No. 50-0311 (Ref. No. 92654-004-401). A duplicate copy of this Notice is enclosed.

Respectfully submitted,


Rick A. Terzine #43,95

Date: September 25, 2003

By: James G. Gatto
Registration No. 32,694

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